

Subsec. (f). Pub. L. 104-186, §204(75), substituted “House Oversight” for “House Administration”.

1976—Subsec. (b)(2). Pub. L. 94-310 substituted “other than as provided in subsection (c) of this section, as a witness on behalf of any party in connection with any judicial proceeding to which the United States, the District of Columbia, or a State or local government is a party” for “as a witness on behalf of a party other than the United States, the District of Columbia, or a private party”.

#### CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Section 4 of Pub. L. 94-310 provided that: “The amendments made by this Act [amending this section and sections 6322 and 8906 of Title 5, Government Organization and Employees] shall take effect on October 1, 1976, or on the date of the enactment of this Act [June 15, 1976], whichever date is later.”

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

#### TERMINATION OF UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE

For termination of the United States District Court for the District of the Canal Zone at end of the “transition period”, being the 30 month period beginning Oct. 1, 1979, and ending midnight Mar. 31, 1982, see Paragraph 5 of Article XI of the Panama Canal Treaty of 1977 and sections 2101 and 2201 to 2203(a) of Pub. L. 96-70, title II, Sept. 27, 1979, 93 Stat. 493, formerly classified to sections 3831 and 3841 to 3843, respectively, of Title 22, Foreign Relations and Intercourse.

### **§ 130c. Waiver by Secretary of Senate of claims of United States arising out of erroneous payments to Vice President, Senator, or Senate employee paid by Secretary of Senate**

#### **(a) Waiver of claim for erroneous payment of pay or allowances**

A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after July 25, 1974, to the Vice President, a Senator, or to an officer or employee whose pay is disbursed by the Secretary of the Senate, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Secretary of the Senate. An application for waiver shall be investigated by the Financial Clerk of the Senate who shall submit a written report of his investigation to the Secretary of the Senate. An application for waiver of a claim in an amount aggregating more than \$1,500 may also be investigated by the Comptroller General of the United States who shall submit a written report of his investigation to the Secretary of the Senate.

#### **(b) Prohibition of waiver**

The Secretary of the Senate may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the Vice President, the Senator, the officer or employee, or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

#### **(c) Credit for waiver**

In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

#### **(d) Effect of waiver**

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

#### **(e) Construction with other laws**

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

#### **(f) Rules and regulations**

The Secretary of the Senate shall promulgate rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, §2, July 25, 1974, 88 Stat. 394; Pub. L. 103-69, title III, §315, Aug. 11, 1993, 107 Stat. 713; Pub. L. 104-316, title I, §102(b), Oct. 19, 1996, 110 Stat. 3828.)

#### AMENDMENTS

1996—Subsec. (a). Pub. L. 104-316 in first sentence struck out “, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official” after “in part by the Secretary of the Senate”, and in third sentence substituted “\$1,500 may also” for “\$1,500 shall also”.

1993—Subsec. (a). Pub. L. 103-69 substituted “\$1,500” for “\$500”.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Section 101(e) of title I of Pub. L. 104-316 provided that:

“(1) IN GENERAL.—Except as provided in paragraph (2), this title [see Tables for classification] shall take effect on the date of enactment of this Act [Oct. 19, 1996].

“(2) EXCEPTIONS.—Sections 103(d), 105(b), and 116 [amending section 5584 of Title 5, Government Organization and Employees, section 2774 of Title 10, Armed Forces, and section 716 of Title 32, National Guard] shall take effect 60 days after the date of enactment of this Act.”

### **§ 130d. Waiver by Speaker of House of claims of United States arising out of erroneous payments to officers or employees paid by Chief Administrative Officer of House**

#### **(a) Waiver of claim for erroneous payment of pay or allowances**

A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transpor-

tation expenses and allowances, on or after July 25, 1974, to an officer or employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House.

**(b) Investigation and report**

An application for waiver of a claim shall be investigated by the Chief Administrative Officer of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

**(c) Prohibition of waiver**

The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

**(d) Credit for waiver**

In the audit and settlement of the accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

**(e) Effect of waiver**

An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

**(f) Construction with other laws**

This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

**(g) Rules and regulations**

The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

(Pub. L. 93-359, §3, July 25, 1974, 88 Stat. 395; Pub. L. 104-186, title II, §204(76), Aug. 20, 1996, 110 Stat. 1742; Pub. L. 104-316, title I, §102(c), Oct. 19, 1996, 110 Stat. 3828.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-316 struck out “, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official” before period at end.

Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (b). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

**§ 130e. Special Services Office**

There is established, as a joint office of Congress, the Special Services Office, which (under the supervision and control of a board, to be

known as the Special Services Board, comprised of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms and Doorkeeper of the Senate, and the Architect of the Capitol) shall provide special services to Members of Congress, and to officers, employees, and guests of Congress.

(Pub. L. 101-163, title III, §310, Nov. 21, 1989, 103 Stat. 1065; Pub. L. 104-53, title I, §112, Nov. 19, 1995, 109 Stat. 525.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1990.

AMENDMENTS

1995—Pub. L. 104-53 substituted “Sergeant at Arms” for “Clerk” after “comprised of the” and “Architect of the Capitol” for “Librarian of Congress”.

**§ 130f. Office of General Counsel of House; administrative provisions**

**(a) Compliance with admission requirements**

The General Counsel of the House of Representatives and any other counsel in the Office of the General Counsel of the House of Representatives, including any counsel specially retained by the Office of General Counsel, shall be entitled, for the purpose of performing the counsel’s functions, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirements for admission to practice before such court, except that the authorization conferred by this subsection shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

**(b) Notification by Attorney General**

The Attorney General shall notify the General Counsel of the House of Representatives as required by section 530D of title 28.

**(c) General Counsel definition**

In this section, the term “General Counsel of the House of Representatives” means—

(1) the head of the Office of General Counsel established and operating under clause 8 of rule II of the Rules of the House of Representatives;

(2) the head of any successor office to the Office of General Counsel which is established after September 29, 1999; and

(3) any other person authorized and directed in accordance with the Rules of the House of Representatives to provide legal assistance and representation to the House in connection with the matters described in this section.

**(d) Effective date**

The provisions of this section shall become effective beginning with September 29, 1999.

(Pub. L. 106-57, title I, §101, Sept. 29, 1999, 113 Stat. 414; Pub. L. 107-273, div. A, title II, §202(b)(5), Nov. 2, 2002, 116 Stat. 1775; Pub. L. 108-7, div. H, title I, §110(a), Feb. 20, 2003, 117 Stat. 355.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 2000, which is title I of the Legislative Branch Appropriations Act, 2000.